

REMARKS:

The Office action mailed February 24, 2006 has been received and carefully reviewed. A request for continued examination is being filed herewith. Reconsideration of the application in view of the following is respectfully requested.

Claims 7 to 9, 11, 14 and 16 were rejected as failing to comply with the written description requirement in that the claims call for influent to pass into a first anaerobic region "without prior aerobic treatment". It is believed that the original specification provides full support for this in that the drawings show flow from a waste water influent region 4 directly to a first anaerobic region 10 without passage through an aerobic treatment. However, in order to resolve the issue, the claims have been modified to remove the negative phrase "without prior aerobic treatment" and insert that the influent passes "directly from a waste water influent collection region to an anaerobic region". This is clearly shown in the drawings and described in the specification. It is believed that this distinguishes over the prior art where influent water passes first to an aerobic region and later to an anaerobic region.

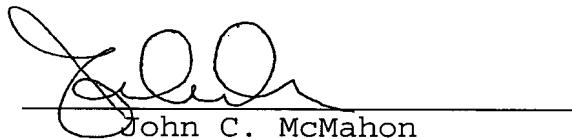
It is noted that the present process substantially improves the ability to remove phosphorous from the waste water and requires the described cycle in order for the process to work.

If the influent waste water is first aerobically treated, then the cycle is broken and the process fails to work as desired.

In view of the above, it is urged that Claims 7 to 9, 11, 14 and 15, along with previously allowed Claims 13, 16 and 17 are now allowable and notice to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned by telephone, if prosecution of this application can be expedited thereby.

Respectfully Submitted,



---

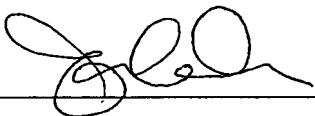
John C. McMahon  
Reg. No. 29,415  
Attorney

JCM:lm  
PO Box 30069  
Kansas City, Missouri  
64112  
Phone: (816) 531-3470

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Mail Stop RCE  
Commissioner For Patents,  
P.O. Box 1450,  
Alexandria, VA 22313-1450 on  
May 24, 2006.

James L. Barnard  
(Applicant)

By



May 24, 2006

\_\_\_\_\_  
(Date of Signature)